IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.52 OF 2006
WITH
CIVIL APPLICATION NO.63 OF 2006

Dhanesh Dharmaji Patil. ..Appellant.

V/s.

Harishchandra K.Patil & ors. ..Respondents.

Mr.P.R.Arjunwadkar for appellant.

CORAM: A.M.KHANWILKAR,J

DATE : JANUARY 25, 2006.

P.C. :

1. Heard counsel for the appellant.

2. I see no reason to depart from the conclusion reached by the court below at this interlocutory stage. There is nothing on record to suggest that the appellant has been put in possession of the disputed property. Counsel for the appellant would rely on the agreement to sale. After hearing counsel for the appellant for some time as I indicated my mind that I was not inclined to interfere in this appeal, counsel for the appellant submits that the court may not record reasons for dismissing the appeal as that would prejudice the appellant in the trial court. In the circumstances, on the request made by the counsel appeal as well as civil

application are dismissed without recording reasons.

3. Counsel for the appellant submits that the suit is pending before the lower court for last three years and the same can proceed expeditiously as pleadings are completed. If it is so, the trial court may dispose of the suit expeditiously as High court expedited case.